

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Anthony Pantages et al.
Appl. No. : Not Yet Assigned
Filing Date : Herewith (February 24, 2004)
Title : Sheath Apparatus and Methods for Delivering a Closure Device
Previous Group Art Unit 3731
Examiner : Not Yet Assigned
Docket No. : 701879.4014

MAIL STOP - DD
Commissioner for Patents
P.O. Box 1450
Washington, DC 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

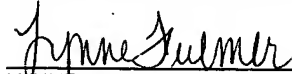
In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 were previously cited in co-pending Serial No. 10/081,725, filed on February 21, 2002, and copies are not enclosed.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

CERTIFICATE OF MAILING
37 CFR §1.10

Date: February 24, 2004
Express Mailing Label No.: EV 298650652 US

I hereby certify that on the dated listed above, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service in accordance with 37 C.F.R. § 1.10 as "Express Mail Post Office to Addressee," with sufficient postage, envelope addressed to: MAIL STOP DD, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.



LYNNE FULMER
DOCSOC1:147815.1
701879-4014 J2G

Applicant : Anthony Pantages
Appl. No. : 10/081,725
Examiner : Not Yet Assigned
Docket No. : 701879.13

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

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STATEMENT UNDER 37 CFR § 1.97(e):

- ☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- ☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

- ☐ A check in the amount of _____ is enclosed for the above fee(s).
- ☐ Please charge _____ to Deposit Account No. 15-0665 for the above fee(s).


The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Orrick, Herrington & Sutcliffe's Deposit Account No. 15-0665.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: February 24, 2004

By: _____


James W. Geriak
Reg. No. 20,233

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949/567-6700 Telephone
949/567-6710 Facsimile

FORM PTO-1449 LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 701879.4014	SERIAL NO. Not Yet Assigned
	APPLICANT: Anthony Pantages, et al.	
	FILING DATE: Herewith (Feb. 24, 2004)	PREVIOUS GROUP: 3731

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	1.	3,586,002	1/22/1977	Wood			
	2.	3,604,425	9/14/1971	LeRoy			
	3.	3,677,243	7/18/1972	Nerz			
	4.	3,757,629	9/11/1973	Schneider			
	5.	3,805,337	4/23/1974	Branstetter			
	6.	4,192,315	3/11/1980	Hilzinger, et al.			
	7.	4,217,902	8/19/1980	March			
	8.	4,345,606	8/24/1982	Littleford			
	9.	4,396,139	8/2/1983	Hall, et al.			
	10.	4,411,654	10/25/1983	Boarini, et al.			
	11.	4,412,832	11/1/1983	Kling, et al.			
	12.	4,485,816	12/4/1984	Krumme			
	13.	4,505,274	3/19/1985	Speelman			
	14.	RE 31,855	3/26/1985	Osborn			

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	15.	PCT Publication No. WO 00/07640, "Vascular Suction Cannula, Dialator and Surgical Stapler", 2/17/00.
	16.	PCT Publication No. WO 00/56227, entitled "Advanced Closure Device", 9/28/2000.

DOCSOC1:147812.1 701879-4014 J2G EXAMINER: Not yet assigned	DATE CONSIDERED:
EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant	

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17.	PCT Publication No. WO 00/56223 entitled "Vascular Closure Device", 9/28/2000.
18.	PCT Publication No. WO 99/62408 entitled "Vascular Port Device", 12/9/1999.

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	19.	4,586,503	5/6/1986	Kirsch, et al.			
	20.	4,687,469	8/18/1987	Osypka			
	21.	4,772,266	9/20/1988	Groshong			
	22.	4,777,950	10/18/1988	Kees, Jr.			
	23.	4,860,746	8/29/1989	Yoon			
	24.	4,865,026	9/12/1989	Barrett			
	25.	4,917,087	4/17/1990	Walsh, et al.			
	26.	4,950,258	8/21/1990	Kawai, et al.			
	27.	5,007,921	4/16/1991	Brown			
	28.	5,026,390	6/25/1991	Brown			
	29.	5,053,008	10/1/1991	Bajaj			
	30.	5,108,420	4/28/1992	Marks			
	31.	5,156,609	10/20/1992	Nakao, et al.			
	32.	5,167,643	12/1/1992	Lynn			
	33.	5,176,648	1/5/1993	Holmes, et al.			

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	34.	PCT Publication No. WO 98/24374, "Vascular Wound Closure System", Yong Zhu, et al., 6/11/98.
	35.	PCT Publication No. WO 97/20505, "Vascular Wound Closure Device", Yong Zhu, et al., 6/12/97.

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	36.	5,192,302	3/9/1993	Kensey, et al.			
	37.	5,222,974	6/29/1993	Kensey, et al.			
	38.	5,275,616	1/4/1994	Fowler			
	39.	5,304,184	4/19/1994	Hathaway, et al.			
	40.	5,318,542	6/7/1994	Hirsch, et al.			
	41.	5,334,217	8/2/1994	Das			
	42.	5,366,458	11/22/1994	Korthoff, et al.			
	43.	5,478,354	12/26/1995	Tovey, et al.			
	44.	5,527,322	6/18/1996	Klein, et al.			
	45.	5,674,231	10/7/1997	Green, et al.			

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	46.	5,683,405	11/4/1997	Yacoubian, et al.			
	47.	5,695,505	12/9/1997	Yoon			
	48.	5,782,844	7/21/1998	Yoon, et al.			
	49.	5,782,860	7/21/1998	Epstein, et al.			
	50.	5,782,861	7/21/1998	Cragg, et al.			
	51.	5,810,846	9/22/1998	Virnich, et al.			
	52.	5,810,851	9/22/1998	Yoon			
	53.	5,817,113	10/1998	Gifford			
	54.	5,820,631	10/1998	Nobles			
	55.	5,830,125	11/3/1998	Scribner, et al.			
	56.	5,879,366	3/9/1999	Shaw, et al.			
	57.	5,910,155	6/8/1999	Ratcliff, et al.			

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	58.	5,922,009	7/13/1999	Epstein, et al.			
	59.	5,951,518	9/14/1999	Licata, et al.			
	60.	5,951,589	9/14/1999	Epstein, et al.			
	61.	5,964,782	10/1999	LaFontaine, et al.			
	62.	5,984,934	11/16/1999	Ashby, et al.			
	63.	6,007,563	12/28/1999	Nash, et al.			
	64.	6,036,720	3/14/2000	Abrams, et al.			
	65.	6,045,570	4/4/2000	Epstein, et al.			
	66.	6,056,770	5/2/2000	Epstein, et al.			
	67.	6,056,769	5/2/2000	Epstein, et al.			
	68.	6,063,085	5/16/2000	Tay, et al.			
	69.	6,077,281	6/20/2000	Das			
	70.	6,077,291	6/20/2000	Das			
	71.	6,080,182	6/27/2000	Shaw			
	72.	6,080,183	6/27/2000	Tsugita, et al.			
	73.	6,113,612	9/5/2000	Swanson, et al.			

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	74.	6,120,524	9/2000	Taheri			
	75.	6,152,937	11/28/2000	Peterson, et al.			

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